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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/786,405

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Moon-Heui Lee

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EXAMINER

LAFORGIA, CHRISTIAN A

ART UNIT

PAPER NUMBER

2139

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/786,405	<b>Applicant(s)</b> LEE ET AL.	
	<b>Examiner</b> Christian LaForgia	<b>Art Unit</b> 2139	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 3-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-7 is/are allowed.
- 6) ☒ Claim(s) 8-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. The amendment of 29 February 2008 has been noted and made of record.
2. Claims 3-11 have been presented for examination.
3. Claims 1, 2, and 12-14 have been cancelled as per Applicant's request.

***Response to Arguments***

4. Applicant's arguments, see pages 3 and 4, filed 29 February 2008, with respect to claims 3-7 have been fully considered and are persuasive. The prior art rejection of claims 3-7 has been withdrawn.
5. Applicant's arguments with respect to the prior art rejections of claims 8-11 filed 29 February 2008 have been fully considered but they are not persuasive.
6. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies, such as the cipher apparatus storing and displaying the secret code and telephone number of the portable terminal, are not recited in the rejected claims 8-11. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).
7. See further rejections set forth below.

***Claim Rejections - 35 USC § 103***

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
9. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0106202 A1 to Hunter, hereinafter Hunter, in view of U.S.

Patent Application Publication No. 2003/0008662 to Stern et al., hereinafter Stern, and in further view of U.S. Patent No. 7,079,656 B1 to Menzel et al., hereinafter Menzel.

10. As per claim 8, Hunter teaches method for releasing a locked state of a camera in a portable terminal by means of a cipher apparatus connected to the portable terminal, the portable terminal includes the camera for photographing an image, a memory for storing secret codes, an image processor for processing the photographed image, and a display unit for displaying the processed image, the method comprising the steps of:

(3) the portable terminal receiving data, and comparing the secret code received from the cipher apparatus with one of the secret codes stored in the memory (paragraphs 0013, 0023, 0037, i.e. comparing the received signal to memory or swiping the smart card); and

(4) enabling the camera to operate when the secret code matches said one of the secret codes stored in the memory (paragraphs 0013, 0023, 0037, i.e. re-enable the camera functions); and

the apparatus transmitting data obtained from the secret code (paragraphs 0009, 0023, 0038).

11. Hunter does not teach enciphering the data, receiving information of the portable terminal, and obtaining a secret code for the locked state of the camera from a database.

12. Stern teaches receiving information regarding the mobile user device (paragraphs 0012, 0053) and finding a policy based on the device and location information in a database which is sent to the mobile device (Figures 3 [blocks 304, 306], 4 [blocks 800, 900], paragraphs 0053-0056, 0058, 0059).

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13. It would have been obvious to one of ordinary skill in the art at the time the invention was made to receive information regarding the mobile device and obtaining a policy for the camera from a database, since Stern states at paragraph 0006 that it allows the system to establish a policy based on the location and user device information thereby allowing high priority users to receive phone calls in dire situations, such as a doctor receiving emergency phone calls (see Stern, paragraphs 0054-0055).

14. Stern does not teach wherein the portable device sends a secret code to the cipher apparatus and wherein the cipher apparatus produces enciphered data to be transmitted to the portable device.

15. Menzel teaches wherein a mobile device and a base station exchange public keys (drawn to the Applicant's claimed secret code) (column 2, lines 7-19, column 2, lines 48-58) and encrypting the data using the exchanged public keys in subsequent communications (column 2, lines 9-19, column 2, lines 51-58).

16. It would have been obvious to one of ordinary skill in the art at the time the invention was made for a mobile device and a base station to exchange public keys and encrypt the data using the exchanged public keys in subsequent communications, since Menzel states at column 3, lines 3-29 that encrypted communications provide for secure communication between the devices, thereby preventing unauthorized users from intervening in the exchange of information.

17. Regarding claim 9, Hunter teaches enabling the image processor to operate (paragraphs 0013, 0023, 0037); and

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transmitting information reporting a released state of the camera to the cipher apparatus (paragraphs 0017, 0018).

18. Regarding claim 10, Hunter teaches wherein data is exchanged through a cable to release the locked state of the camera of the portable terminal (paragraph 0043, i.e. an electrical contact).

19. Regarding claim 11, Hunter teaches wherein data is exchanged wirelessly to release the locked state of the camera of the portable terminal (paragraph 0010, i.e. radio signals).

***Allowable Subject Matter***

20. Claims 3-7 are allowed.

21. The following is an examiner's statement of reasons for allowance:

As noted above the Examiner agrees with the Applicant's arguments regards claims 3-7, specifically that the prior art does not teach a cipher apparatus that stores and displays the secret code and a telephone number of a portable terminal after the camera on the portable terminal has been disabled.

22. A phone call was placed to Ms. Demetra Smith-Stewart on 03 April 2008 proposing an Examiner's amendment to cancel claims 8-11 and issue a Notice of Allowance for claims 3-7.

That phone call was not returned.

23. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

25. The following patents are cited to further show the state of the art with respect to managing portable devices, such as:

United States Patent Application Publication No. 2003/0151669 A1 to Robins et al., which is cited to show remotely enabling/disabling an image capturing device.

United States Patent No. 7,340,214 B1 to Hamberg, which is cited to show tagging images taken with a camera phone.

United States Patent No. 6,982,747 B2 to Yamagishi, which is cited to show notifying a cellular phone the status of an image capturing device and vice versa.

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

27. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian LaForgia whose telephone number is (571)272-3792.

The examiner can normally be reached on Monday thru Thursday 7-5.

29. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

30. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christian LaForgia/  
Primary Examiner, Art Unit 2139

clf